the c/l of North Point Creek Rd. * DEPUTY ZONING COMMISSIONER (7713 South Cove Road) 15th Election District * OF BALTIMORE COUNTY

7th Councilmanic District Terry A. Greenwood, et ux

* Case No. 93-66-A Petitioners

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Terry A. and Joan K. Greenwood. The Petitioners request relief from Section 1802.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 4 feet in lieu of the minimum required 10 feet for a proposed two-story garage addition in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion $\odot f$ the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

MICROFILME

B.C.Z.k. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

This property is located within the Chesapeake Bay Critical Areas near North Point Creek and as such, is subject to any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) upon completion of their review of this project. The Petitioners shall submit a findings plan for review and approval by DEPRM prior to the issuance of any permits.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6 day of October, 1992 that the Petition for Administrative Variance requesting relief from Section 1802.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 4 feet in lieu of the minimum required 10 feet for a proposed two-story garage addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Compliance with any recommendations made by DEPRM upon completion of their review of this project. Petitioners shall submit a findings plan for review and approval prior to the issuance of any permits.

3) Petitioners shall not allow or cause the proposed garage addition to be converted to a second dwelling

- 2-

M. Chick the same

unit and/or apartments. There shall be no kitchen

shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

facilities in the proposed addition.

4) Upon request and reasonable notice, Petitioners

5) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

> Deputy Zoning Commissioner for Baltimore County

ZONING DESCRIPTION FOR: 7713 SOUTH COVE ROAD

BALTIMORE, MARYLAND 21219

- 3-

BEGINNING AT A POINT ON THE SOUTH SIDE OF SOUTH COVE ROAD FEET WIDE AT THE DISTANCE OF 380 FEET WEST OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET, NORTH POINT CREEK ROAD WHICH IS * FEET WIDE. BEING LOT # 813 4 #814 IN THE SUBDIVISION OF CODGE FOREST AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #10, FOLLO *76, CONTAINING 19,000 SQUARE FEET OR 0436 ACRES, ALSO KNOWN AS SOUTH COVE ROAD AND LOCATED TH ELECTION DISTRICT.

TMK:bjs

PETITION FOR ADMINISTRATIVE VARIANCE to the zoning commissioner of Baltimore county: 93-66-AThe undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1002. TO PERMIT A SIDE YARD SETBACK OF 4 FT. IN LIGH

OF THE REGULRED SINE YARD SETBACK OF ICHT. of the Zoning Regulations of Baltimore County for the following reasons: (indicate hardship or practical difficulty) 1. TO ADD A 2 CAR GARAGE WILLIVING AREA ABOVE.

2 GARAGE TO COVER A PORTION OF DEVENAY

Property is to be advertised and/or posted as prescribed by Zoning Regulations

UN LETT SME UF HOUSE,

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of BaltimoreCounty adopted pursuant to the Zoning Law for

I/we do solemnly declare and affirm, under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject ! GREENWOOD GROBN WOOD 7913 JOUTH COVE B +17-33+8

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner Of Baltimore County, this ______ day of ______, 19____, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

IN SUPPORT OF ADMINISTRATIVE VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is acheduled in the future with regard thereto. That the Affant(s) does/do presently reside at 77/3 SOUTH COVE RUAD

AFFIDAVIT

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative

1. TO ADD A 2 GAR GARAGE ") LIVING AREA ABOVE. 2. GARAGE TO COVER A SULTION OF EXISTING DEIVENAY ON LEFT SIDE OF HOUSE

the Affiants(s) herein, personally known or satisfactorily identified to me as \$155, Affaits(s), and made onth in due form of law that the matters and facts hereinshove set forth are true and correct to the facts hereinshove set forth are true and correct to the facts have been and belief.

Office of Program is the same Suite 113 Courthouse 400 Washington Avenue

(410) 887-4386

Mr. & Mrs. Terry A. Greenwood 7713 South Cove Road Baltimore, Maryland 21219

Towson, MD 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE S/S South Cove Road, 380' W of the c/l of North Point Creek Road (7713 South Cove Road) 15th Election District - 7th Councilmanic District Terry A. Greenwood, et ux - Petitioners Case No. 93-66-A

Zoning Commercial of a

October 6, 1992

Dear Mr. & Mrs. Greenwood:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

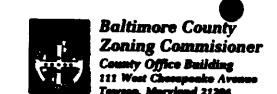
In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

> Very truly yours, TIMOTHY M. KOTROCO Deputy Zoning Commissioner

for Baltimore County cc: Chesapeake Bay Critical Areas Commission 45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM People's Counsel

Terry & Soon Green wood Location of property: 3/5 S. Cors Rd. (7713) 380' W/N. Pl. Crack Rd. Location of Signe Facing road way, on property of Patitioners



Adjeon

PUBLIC HEARING FEES QTY • PRICE 010 -ZONING VARIANCE (IRL) 080 -POSTING SIGNS / ADVERTISING 1 X

Cashler Validation

County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

LAST NAME OF OWNER: GREENWOOD

GREEN WOOD, Terry & Joan 7713 South Cove Rd Sto S. Cove Rd 380 W & North Point Creek Ad

already in compute 500000013

Residential Variance

Baltimore County Government
Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue September 21, 1992

(410) 887-3353

Mr. & Mrs. Terry A. Greenwood

7713 South Cove Road Baltimore, MD 21219

RE: Item No. 58, Case No. 93-66-A Petitioner: Terry A. Greenwood, et ux Petition for Administrative Variance

Dear Mr. & Mrs. Greenwood:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Your petition has been received and accepted for filing this

Received By:

Petitioner: Terry A. Greenwood, et ux Petitioner's Attorney:

27th day of August, 1992

Printed on Recycled Paper

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

BALTIHORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director DATE: September 10, 1992 Zoning Administration and Development Management

FROM: Ervin Mc Daniel, Chief Office of Planning and Jenine Development Review Section

SUBJECT: Petitions from Zoning Advisory Committee September 8, 1992

The Office of Planning and Zoning has no comments on the following petitions: Terry and Joan Greenwood, Frem No. 58

John Dietsch, Item No. 61 / Stephen and Diane Dansicher, Item No. 76~ Edward and Francine Wickman, Item No. 77 -Charles Berg and Willie Graves, Item No. 78 Edward and Ceola Wright, Item No. 81

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

Prepared by:

Division Chief: EMcD/FM: rdn

ITEM58+/ZAC1

Baltimore County Government 9/10/92 Fire Department

700 East Joppa Road Suite 901 Towson, MD 21204-5500

SEPTEMBER 9, 1992

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

RE: Property Owner: TERRY A. GREENWOOD AND JOAN K. GREENWOOD #7713 SOUTH COVE ROAD Location:

Item No.: *58(LJG) Zoning Agenda: SEPTEMBER 8, 1992 Gentlemen:

7. The Fire Prevention Bureau has no comments at this time.

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

Special Inspection Division

JP/KEK

ZONING OFFICE

BALT ORE COUNTY, MAR AND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

Mr. Arnold Jablon, Director Zoning Administration and Development Management

DATE: September 24, 1992

FROM: J. Lawrence Pilson Development Coordinator, DEPRM

SUBJECT: Zoning Item #58

7713 South Cove Road - Greenwood Zoning Advisory Committee Meeting of September 8, 1992

The Department of Environmental Protection and Resource Management requests an extension for the review of the above referenced zoning item to determine whether the proposed development is in compliance with the Chesapeake Bay Critical Area Regulations. The applicant must submit a Critical Area Findings Plan for review and approval by this Department prior to preparation of a Critical Area Findings for the development. The applicant may contact the Environmental Impact Review Division of the Department at 887-2904 for details.

COVEROAD/TXTSBP

Rec'd 9/24/92 00

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director Zoning Administration and Development Management

DATE: September 22, 1992

Ervin Mc Daniel, Chief Office of Planning and Zoning Development Review Section

Petitions from Zoning Advisory Committee September 8, 1992

The Office of Planning and Zoning has no comments on the following petition: Terry and Joan Greenwood, Item No. 58

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

EMcD/FM:

PROPERTY OF ENGINEERING File Numb**e**r Waiver Number Zoning Issue Meeting Date Stonegate at Patapsco (Azreal Property) ZON DED TE (Waiting for developer to submit plans first) COUNT 1 Meadow Parks Limited Partnership 8/14/92 DED DEPRM RP STP TE Eugene Osborne, Sr. DED DEPRM RP STP TE Barry L. And Wilma J. Alderson DED DEPRM RP STP TE Edwin J. and Delores R. Thomas DED DEPRM RP STP TE Stanley R. And Kathy L. Schall DED DEPRM RP STP TF Claude N. and Gee Gee Z. Pfeffer DED DEPRM RP STP TE Terry A. and Joan K. Greenwood 9/8/92 DED DEPRM RP STP TE (omitted in error) COUNT 1 COUNT 8 * * * END OF REPORT * * *

DPW/Developers Engineering Division Development Review Committee Response	∍ Form .	09/21/92
Authorized signature	Kenned	Date 9/21/92
File Number Waiver Number	Zoning Issue	Meeting Date
Stonegate at Patapsco (Azreal Pr 90476 ZON DED TE (Waiting for developer t	o submit plans first	6-1-92
COUNT 1		
Meadow Parks Limited Partnership	84	8/14/92 Comment
DED DEPRM RP STP TE		8/14/92
/ Eugene Osborne. Sr.	06	
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Barry L. And Wilma J. Alderson		=======================================
DED DEPRM RP STP TE	73	NC
Edwin J. and Delores R. Thomas	= = = = = = = = = = = = = = = = = = = =	######################################
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Stanley R. And Kathy L. Schall		32=32±=22±==
DED DEPRM RP STP TE	°5	NC
Claude N. and Gee Gee Z. Pfeffer		========
DED DEPRM RP STP TE	96	NC
COUNT 5		=======================================
/ Terry A. and Joan K. Greenwood		
DED DEPRM RP STP TE (omitted in error)	58	9/8/92 NC
======================================		
FINAL TOTALS COUNT 8		
* * * END OF REPORT * * *		

Department of Recreation and Parks Development Review Committee Response for Date 9/2/92 Project Name File Number Waiver Number Zoning Issue Meeting Date Meadow Parks Limited Partnership 8/14/92 DED DEPRM RP STP TE ED DEPRM RP STP TE Eugene Osborne, Sr. DED DEPRM RP STP TE No Comment Barry L. And Wilma J. Alderson ED DEPRM RP STP TE DED DEPRM RP STP TE Edwin J. and Delores R. Thomas DED DEPRM RP STP TE DED DEPRM RP STP TE Stanley R. And Kathy L. Schall DED DEPRM RP STP TE DED DEPRM RP STP TE Claude N. and Gee Gee Z. Pfeffer ED DEPRM RP STP TE DED DEPRM RP STP TE Terry A. and Joan K. Greenwood)ED DEPRM RP STP TE (omitted in error) No Comment DED DEPRM RP STP TE (omitted in error) COUNT 1 FINAL TOTALS COUNT 7 *** END OF REPORT ***

BALTIMORE COUNTY, MARYLAND

93-66-4 4-28-92

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold E. Jablon, Director Office of Zoning Administration and Development Management

FROM: J. James Dieter

SUBJECT: Petition for Zoning Variance - Item #58 Greenwood Property Chesapeake Bay Critical Area Findings

DATE: December 1, 1992

ZONING OFFICE

SITE LOCATION

The subject property is located at 7713 South Cove Road. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Terry A. Greenwood

APPLICANT PROPOSAL

The applicant has requested a variance from section 1 B02.3 of the Baltimore County Zoning Regulations to permit a side yard setback of four feet in lieu of the required side yard setback of 10 feet.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;

2. Conserve fish, wildlife and plant habitat; and

3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.0>

Mr. Arnold E. Jablon December 1, 1992

REGULATIONS AND FINDINGS

 Regulation: "A minimum 100 foot buffer shall be established land-ward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" <Baltimore County Code Section 26-449(a)>.

Finding: The proposed construction is located over 100 feet from the tidal waters of North Point Creek. Therefore, no disturbance of the 100 foot buffer shall occur and the project is in compliance with this regulation.

Regulation: "Dredging, filling, or construction other than approved bulkheading shall not be permitted in any non-tidal and tidal wetlands unless the proposed development consists of utility, bridge, or street development in a non-tidal wetland and unless the Director of Environmental Protection and Resource Management finds this proposed development not detrimental to the County's Wetland Management Programs" <Baltimore County Code, Section 26-447>.

Finding: Non-tidal and tidal wetlands are not present on or within the immediate vicinity of this site. Therefore, no dredging, filling, or construction is proposed in any non-tidal or tidal wetlands for this project and this regulation has been met.

Regulation: "If a parcel or lot one-half acre or less in size was in residential use or zoned for residential purposes on or before December 1, 1985, then man-made impervious surfaces associated with that use are limited to 25% of the parcel or lot" <Baltimore County Code, Section 26-543(e)(1)>.

Findings: The existing lot is 19,000 square feet in size. The proposed addition creates impervious surfaces which when added to existing impervious surfaces total 4.657 square feet or 24.5% of the lot. The development will result in total impervious surfaces less then 25% and will be in compliance with this regulation.

Regulation: "If no forest is established on proposed development sites, these sites shall be planted to provide a forest or developed woodland cover of at least 15%" < COMAR 14.15.02.04 C.(5)(e)>.

Finding: This property presently contains 15% forest cover and is in compliance with the above regulation. However, property owners always encouraged to plant additional native trees. Trees are an important factor in improving water quality. The roots of trees greatly improve the infiltration rate of stormwater and efficiently remove nitrogen and subsurface flows of groundwater. Trees also act as a barrier and a sponge, blocking and absorbing eroding soils and the phosphorous associated with them.

Mr. Arnold E. Jablon December 1, 1992 Page 3

> Regulation: "Infiltration of stormwater shall be maximized throughout the site, rather than directing flow to single discharge points" <Baltimore County Code, Section 26-453(h)(2)>.

Finding: Stormwater runoff shall be directed from impervious surfaces associated with this plan, to previous areas, to encourage maximum infiltration. Rooftop runoff shall be directed through downspouts and into a seepage pit or drywells sized to capture the first half-inch of rooftop runoff. These measures will ensure that the requirements of this regulation have been met.

The Zoning Variance has been granted prior to receipt of these Findings. This proposal will comply with Chesapeake Bay Critical Area Regulations if it is conditioned to meet the requirements in Regulations No. 5 of these Findings. If there are any questions, please contact Ms. Patricia M. Farr at 887-2904.

> Department of Environmental Protection and Resource Management

JJD:SA:ju

Attachment

GREENWD/WQCBCA

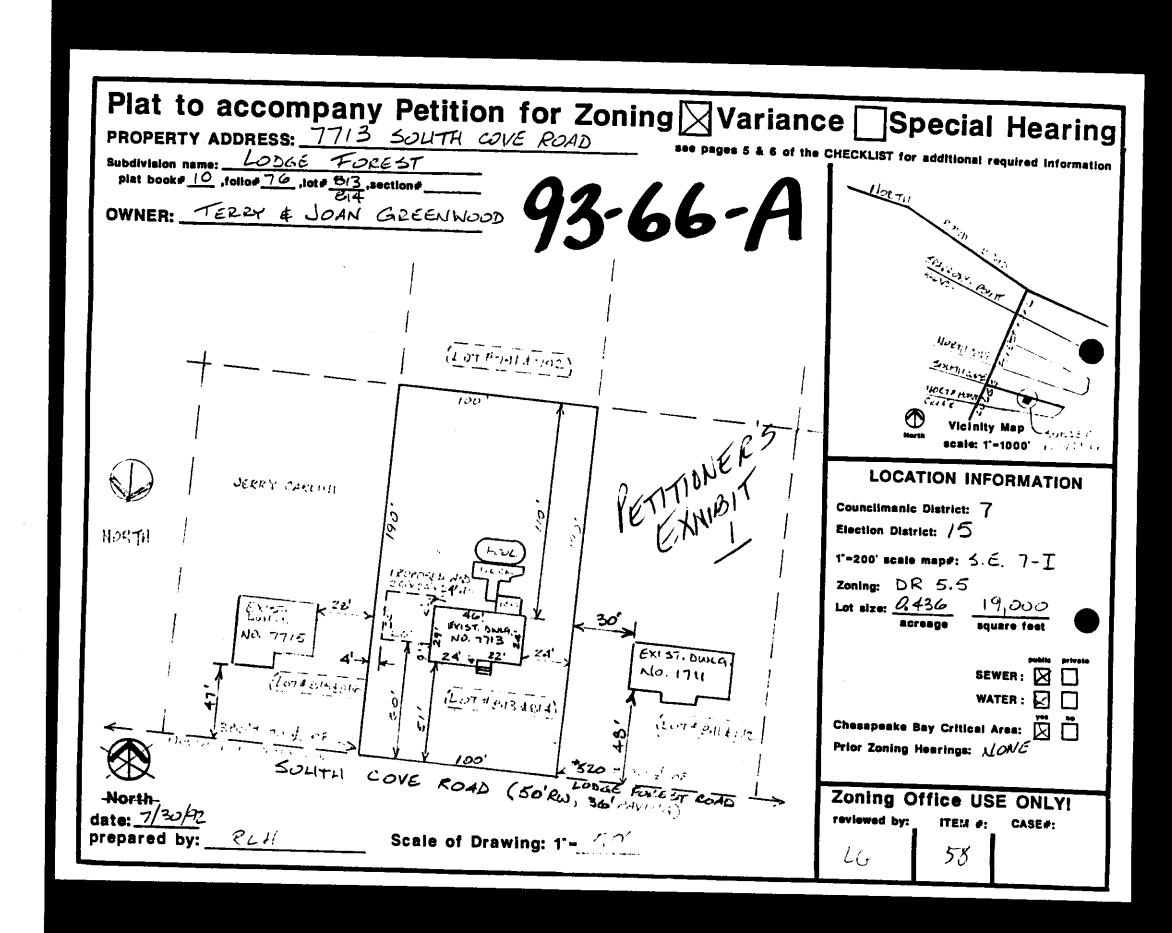
To Whom It May Concern;

My home address is 7715 South Cove Road, Baltimore, Md. 21219. My neighbor, Terry Greenwood, located at 7713 South Cove Road is interested in erecting a garage on his property located nearest to mine. I have no objections to the addition of the garage and no objections to the extension of the garage to my property line.

Sincerely,







7713 S. COVE RD



CHECANED OF AIR PROTOGRAPHICS, INC. MARTINSBURG, W.V. 25401

PHOTOGRAPHIC MAP

PHOTOGRAPHY JANUARY 1986